

Remarks

In the 16 April 2007 Office Action, the Examiner stated that Applicants' amendment filed on 29 January 2007 was not fully responsive because of certain omissions. In particular, the Examiner stated that Applicants had not presented arguments pointing out why the newly presented claims in the 29 January amendment were patentable over the applied references. Applicants hereby submit the following in response.

In the 29 January amendment, claims 21-26 were newly presented. The reference applied by the Examiner in the previous Office Action of 1 November 2006 was U.S. Patent No. 6,516,253 (Boggs et al.). Applicants submit that claim 21 is distinguishable over Boggs et al. for a number of reasons, including, but not limited to, the following. Claim 21 recites a method for operating a hybrid vehicle that includes the steps of "determining acceleration of input speed to the power transmission assembly when the primary power generating system is deactivated; and inferring activation of the primary power generating system based at least in part on the acceleration of the power transmission assembly...." In contrast, Boggs et al. describes a controller that "looks for engine speed variations caused by the periodic nature of the combustion process in an IC engine." (Col. 2, ll. 37-40.) Applicants submit that observing engine speed variations over time, as discussed in Boggs et al., is not the same as, nor does it render obvious, the use of an acceleration of input speed to a power transmission assembly as specifically recited in claim 21 of the present application.

Claim 21 further recites the limitation that "determining acceleration of input speed to the power transmission assembly comprises determining a first signal indicative of transmission input speed and determining a derivative of the first signal...." Such limitations are not expressly or inherently described in Boggs et al., and there is no teaching, or other reason, why the system and method of Boggs et al. should be modified to include such limitations. Claim 21 also includes additional limitations that further distinguish it from Boggs et al. Therefore, for these and other reasons, claim 21 is believed to be allowable over Boggs et al.

Claim 21 is the base claim for claims 22-26. Each of these dependent claims contains all of the limitations of claim 21, as well as additional limitations which further distinguish it from the cited reference. Therefore, Applicants submit that claims 22-26 are also allowable over Boggs et al. Accordingly, allowance of claims 21-26 is requested.

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Respectfully submitted,

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